

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☐ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/779,898	02/08/2001	Timo Hotti	017341-00030	6603

7590 08/27/2004

LOCKE LIDDELL & SAPP, LLP.
Suite 3400
600 Travis
Houston, TX 77002-3004

EXAMINER

WANG, LIANG CHE A

ART UNIT	PAPER NUMBER
----------	--------------

2155

DATE MAILED: 08/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/779,898

Applicant(s)

HOTTI, TIMO

Examiner

Liang-che Alex Wang

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/1/2001.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

1. Claims 1-37 have been examined

Paper Submitted

2. It is hereby acknowledged that the following papers have been received and placed of record in the file:
 - a. **Information Disclosure Statements** in paper as received on 10/01/2001 is considered.

Specification

3. The disclosure is objected to because of the following informalities:
4. In abstract, lines 3, 7, 8, and 13, “(220)”, “(201)”, “(202)”, and “Figure 2’ should be removed.

Appropriate correction is required.

Claim Objections

5. Claims 1-32 are objected to because of the following informalities:
 - a. Referring to claim 1 line 2, “at least one community system” should be changed to “said at least one community system.”
 - b. Referring to claim 9 line 1 “the assembling” should be changed to “assembling” by removing “the”.

Art Unit: 2155

- c. Referring to claim 17 lines 1-2, "at least one community system" should be changed to "said at least one community system."
 - d. Claim 32 is missing.
6. All dependent claims are objected to as having the same deficiencies as the claims they depend from.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

8. Claims 1-37 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for

Art Unit: 2155

patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 1-8, 10-12, 16-27, 33-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Havinis et al., US Patent Number 6,360,102, hereinafter Havinis.
11. Referring to claim 1, Havinis has taught a method for managing data in a system comprising at least one community (Col 3 lines 43-45, Col 1 lines 52-53, a cellular network is viewed as a community), said at least one community system comprising at least one database (Col 1 lines 52-58) and at least one application (Col 5 line 7-21), at least one service assembly point (SAP) (item 500 figure 5) comprising at least one database (item 502), means for communication between a community system and a service assembly point and at least one user of service assembly point (Col 10 lines 23-26), characterized in that
 - a. at least one service assembly point is a member of at least one community (Col 5 lines 39-45);
 - b. the users can be members in a community with different profiles (Col 4 lines 6-8);
 - c. and the users may use applications of a community according to said profiles (Col 4 lines 6-13).
12. Referring to claim 2, Havinis has further taught the service assembly points have identity information, and the identity information is used for selecting services of the community for the user of the service assembly point (Col 5 lines 35-39).
13. Referring to claim 3, Havinis has further taught identity information is maintained in an Identity Server and received from the Identity Server (Col 4 lines 18-23).

14. Referring to claim 4, Havinis has further taught the identity information is maintained in a Service Assembly Point (Col 9 line 39-48).
15. Referring to claim 5, Havinis has further taught place information and /or time information is used for determining user's services in the community (Col 5 lines 48-53).
16. Referring to claim 6, Havinis has further taught the information on rights of use in a community is based on a published profile of the user in the community (Col 4 lines 6-13).
17. Referring to claim 7, Havinis has further taught the service classification is maintained in a Community Server (Col 5 lines 27-34, Figure 3 MSC/VLR is viewed as a community server).
18. Referring to claim 8, Havinis has further taught the user's profile information is maintained in an Identity Server (Col 5 lines 27-34, Figure 3 SLPP is the user's profile stored in HLR).
19. Referring to claim 10, Havinis has further taught total services of a community are provided in a community server (Item 310).
20. Referring to claim 11, Havinis has further taught the parts of the SAP database is at least in part a replica of parts of the community system database (Col 9 lines 40-48).
21. Referring to claim 12, Havinis has further taught said parts of the SAP database and said parts of community server database are synchronized (Figure 3 and Col 9 lines 40-48).
22. Referring to claim 16, claim 16 encompasses the same scope of the invention as that of the claim 1. Therefore, claim 16 is rejected for the same reason as the claim 1.

23. Referring to claims 17-27, claims 17-27 encompass the same scope of the invention as that of the claims 1-8, 10-13. Therefore, claims 17-27 are rejected for the same reason as the claims 1-8, 10-13.
24. Referring to claim 29, Havinis has further taught the server assembly point is a combination of a mobile station and a computer (item 300, figure 3, mobile serves the function of a computer).
25. Referring to claims 33-37, claims 33-37 encompass the same scope of the invention as that of the claims 1, 6, 7, 11, and 12. Therefore, claims 33-37 are rejected for the same reason as the claims 1, 6, 7, 11 and 12.

Claim Rejections - 35 USC § 103

26. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
27. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Havinis in view of Baxter, US Patent Number 6,192,412, hereinafter Baxter.

Havinis has taught an invention as described in claim 1, and Havinis has further taught assembling a service list from a community server to be used in a service assembly point comprises at least one of the following steps: the Identity Database Replica of the user identity database is synchronized with the Identity Database Master that runs in the Identity Server (Figure 3); the Service Assembly Point establishes a connection with the

Community Server's master database and creates a local replica of the database to the SAP (Col 9 lines 40-48); and the Service Assembly Point Publishes user's preference and terminal property data to the Community Server and invokes the Service matchmaking process in the Community Server (Col 4 lines 6-23 and figure 4).

Havinis has not taught it is checked that the Service Assembly Point has the most recent version.

However, Baxter has taught determining in a mobile computer if a version of data is a more recent version (Col 18 lines 40-45).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the version checking of Baxter in Havinis such that to have Havinis's system to check if the service assembly point has the most recent version because both Havinis and Baxter has taught data exchanging between a mobile computer and a server.

A person with ordinary skill in the art would have been motivated to make the modification to Havinis because having the most updated version would allow the mobile computer to keep the most recent data as taught by Baxter (Col 18 lines 40-44).

28. Claims 13-15, 28, 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Havinis.

29. Referring to claim 13, Havinis teaches the method is compliant with the communication specification of GSM (Col 1 lines 19-23). It would have been obvious to one of ordinary skill in the art to use the at least one of the following communication specifications:

TCP/IP, CDMA, GSM, GPS, WCDMA, UMTS, Teldesic, Iridium, Inmarsat, WLAN and

imode, to extend the use of the claimed communication specification for versatility. The Examiner notices that the function of the invention as described in claims still remains the same regardless of what communication specification is being used. The Printed matters as disclosed are not functionally related to substrate do not distinguished from prior art in term of patentability; although printed matter must be considered, in that situation it may not be entitles to patentable weight. *See In Re Gulack (CAFC), 217 USPQ 401., 3/30/1983.*

30. Claims 14, 15, 28, 30, 31 are rejected for the same reason as claim 13.

Conclusion

31. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objection made. Applicant must show how the amendments avoid such references and objections. See 37 CFR 1.111(c).

32. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (703) 305-8159. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.

33. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T Alam can be reached on (703)308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2155

34. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Liang-che Alex Wang *lcw*
August 23, 2004

Hosain Alam
HOSAIN ALAM
SUPERVISORY PATENT EXAMINER